IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1827 OF 2007

Anilkumar Ghevarchand Patwari & ors... Petitioner

versus

Obaidur Rahman Abdul Rahman & anr..... Respondent.

Mr. Rajiv Patil with Mr. A.S.Kulkarni for petitioners
Mr. A.S.Shitole APP for State.

CORAM; A.P. DESHPANDE, J.
DATED; 12TH DECEMBER, 2007

P.C.;

1. The respondent filed a complaint against the petitioner under section 138 of N.I.Act on account of dishonour of the cheque. It is the case of the respondent that he is holder in due course. The trial court being primafacie satisfied, issued process. The order of issue process was challenged by filing a revision in the Sessions Court and the rejection of the revision has given rise to the filing of this writ petition. The question that are raised in present petition need to be adjudicated after an elaborate trial. The contention as to whether the respondents are holder in due course cannot be decided at this stage. The view taken by the revisional court does not need to be interfered with. In the result the writ petition is summarily dismissed.

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